

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DANNY D. HESTDALEN,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:18-cv-00039-JAR
)	
CORIZON CORRECTIONS)	
HEALTHCARE, et al.,)	
)	
Defendants.)	
)	

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff Danny D. Hestdalen's Motion for Joinder of Parties (Doc. 188), and Motion for Joinder of Claims (Doc. 190). He seeks leave to add four additional defendants (Doc. 188), and three new legal claims (Doc. 190).

On May 30, 2018, Plaintiff filed his initial complaint. (Doc. 1.) He named twenty-five defendants and included seventy-five pages of factual allegations underpinning dozens of legal claims. (*Id.*) On initial review, the Court dismissed fifteen defendants and directed the remaining defendants to respond. (Docs. 9, 10.) Thereafter, the Court entered a Case Management Order with a January 3, 2019, deadline for joinder of parties and amendment of pleadings. (Doc. 40.)

On January 2, 2019, Plaintiff sought leave to amend his complaint. (Doc. 48.) The Court granted that motion and docketed Plaintiff's First Amended Complaint. (Docs. 51, 53.) Defendants responded.

On April 17, 2019, Plaintiff again sought leave to amend his complaint. (Doc. 63.) The Court again granted leave and docketed Plaintiff's Second Amended Complaint. (Docs. 67, 69.) For the third time, Defendants responded.

Because Plaintiff's multiple amendments continuously altered the scope and aims of discovery, the parties jointly sought to amend the Case Management Order. (Doc. 81.) On May 20, 2019, the Court extended the discovery deadline to December 16, 2019, and set the briefing scheduled for dispositive motions to begin a month later. (Doc. 84.)

On June 24, 2019, Plaintiff filed a Motion to Supplement (Doc. 97), representing his fourth attempt to craft his desired complaint. He also filed a Motion to Substitute Party (Doc. 132), seeking to replace the outgoing prison's medical director with his successor. While those motions were pending, the Court granted two joint requests to further amend the Case Management Order, ultimately extending the deadlines for completing discovery to February 15, 2020, and for filing of dispositive motions to April 15, 2020. (Docs. 148, 168.)

On January 27, 2020, the Court denied Plaintiff's Motion to Supplement, but granted his Motion to Substitute Party. (Doc. 173.) The Court noted the numerous prior amendments and concluded that "a fourth bite at the apple would be unduly prejudicial to Defendants." (*Id.* at 3.)

Plaintiff now seeks to amend his complaint a fifth and sixth time, through joinder. (Doc. 190.) The Court will deny that request. Plaintiff has had numerous opportunities to identify the claims he wishes to bring and the parties he wishes to name. The deadlines for discovery and filing of dispositive motions—having been extended multiple times already—are here. Indeed, Defendants have filed their Motions for Summary Judgment. (Docs. 194, 199.) It is time to turn the focus of this case toward resolution.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff Danny D. Hestdalen's Motion to for Joinder of Parties (Doc. 188), and Motion for Joinder of Claims (Doc. 190), are **DENIED**.

IT IS FURTHER ORDERED that Plaintiff **SHALL FILE** his responses to Defendants' Motion for Summary Judgment (Docs. 195, 199), no later than May 15, 2020.

Dated this 16th day of April, 2020.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE